

Exhibit B

Grant of Good Cause Extension

Trials@uspto.gov
571-272-7822

Paper 44
Entered: October 2, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COLLEGIUM PHARMACEUTICAL, INC.,
Petitioner,

v.

PURDUE PHARMA L.P., PURDUE PHARMACEUTICALS L.P.,
AND THE P.F. LABORATORIES INC.,
Patent Owner.

Case PGR2018-00048
Patent 9,693,961 B2

GRANT OF GOOD CAUSE EXTENSION
35 U.S.C. § 326(a)(11) and 37 C.F.R. § 42.200(c)

Pursuant to 35 U.S.C. § 326(a)(11), “the final determination in any post-grant review [shall] be issued not later than 1 year after the date on which the Director notices the institution of a proceeding under this chapter, except that the Director may, for good cause shown, extend the 1-year period by not more than 6 months.” The Director has delegated the authority to extend the one-year period to the Chief Administrative Patent Judge. *See 37 C.F.R. § 42.200(c)*. In particular, 37 C.F.R. § 42.200(c) provides:

A post-grant review proceeding shall be administered such that pendency before the Board after institution is normally no more than

PGR2018-00048
Patent 9,693,961 B2

one year. The time can be extended by up to six months for good cause by the Chief Administrative Patent Judge

In accordance with 37 C.F.R. § 42.200(c), the Chief Administrative Patent Judge has determined that good cause exists to extend the one-year period for issuing a Final Written Decision in this proceeding.

On September 24, 2019, Purdue Pharma L.P., Purdue Pharmaceuticals L.P., and The P.F. Laboratories, Inc. (collectively, “Patent Owner”) filed a Notice of Bankruptcy and Imposition of Automatic Stay in this proceeding. *See* Paper 43 (“Notice”). As set forth in the Notice, Purdue Pharma L.P. and its debtor affiliates, as debtors and debtors in possession (collectively, the “Debtors”), each commenced a voluntary case (the “Chapter 11 Cases”) under chapter 11 of title 11 of the United States Code (11 U.S.C. § 101 et seq.) in the United States Bankruptcy Court for the Southern District of New York. *Id.* at 2.

The Final Written Decision in this proceeding is currently due October 4, 2019. An extension of the one-year period will provide additional time for the Bankruptcy Court to address the applicability of the Automatic Stay provision of the Bankruptcy Code, 11 U.S.C. § 362(a)(1), (3), to this proceeding. Accordingly, under the unique circumstances of this case, the Chief Administrative Patent Judge has determined that good cause exists to extend the one-year period for issuing a Final Written Decision.



Scott R. Boalick
Chief Administrative Patent Judge

PGR2018-00048
Patent 9,693,961 B2

For Petitioner:

Cyrus Morton
cmorton@robinskaplan.com

Christopher Pinahs
cpinahs@robinskaplan.com

Kelsey Thorkelson
kthorkelson@robinskaplan.com

For Patent Owner:

Pablo Hendler
phendler@jonesday.com

Kelsey Nix
knix@jonesday.com

Gasper LaRosa
gjarosa@jonesday.com

Kenneth Canfield
kcanfield@jonesday.com

Sarah Geers
sgeers@jonesday.com